

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 MAX BAER PRODUCTIONS, LTD., a
4 California corporation,,

Case No.: 3:09-cv-512-RCJ-RAM

5 Plaintiff,

6 vs.

II

7 RIVERWOOD PARTNERS, LLC, a Nevada
8 Limited-Liability Company,

9 Defendant.

10 ORDER REGARDING PRELIMINARY INJUNCTION

11 This cause was heard on the motion of Plaintiff MAX BAER PRODUCTIONS, LTD.
12 (hereinafter "Max Baer") for a preliminary injunction on January 8, 2010, and due notice was
13 given to Defendant RIVERWOOD PARTNERS, LLC (hereinafter "Riverwood"). The Court has
14 considered the facts of this case, the documents submitted by the parties, and the arguments of
15 counsel, and finds that the foreclosure of the property that is at issue in this litigation (secured by
16 the Deed of Trust mentioned in the Amended Complaint), Trustee Sale No. 2386968-RMD, and
17 the Notice of Default and Election to Sell Under Deed of Trust recorded on or about September
18 11, 2009 should be enjoined.

19 It is Ordered, Adjudged and Decreed that, pending further order of this Court, the
20 Defendant Riverwood, its officers, agents, representatives, employees and successors, and all
21 other persons in active concert and participation with it, are hereby restrained and enjoined
22 during the time period from January 8, 2010 to January 7, 2011, from foreclosing on the property
23 that is at issue in this litigation, and from proceeding with or taking any further action in regards
24 to Trustee Sale No. 2386968-RMD or the Notice of Default and Election to Sell Under Deed of
25 Trust recorded on or about September 11, 2009.

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1 It is Further Ordered, Adjudged and Decreed that Plaintiff is required to post a bond for
 2 the first forty-five (45) days of the time period for the Preliminary Injunction in the amount of
 3 \$50,000. Said bond must be posted by Plaintiff by January 29, 2010.

4 It is Further Ordered, Adjudged and Decreed that, as a condition to the continuation of
 5 the injunction, Plaintiff is required to increase the amount of the bond to the total sum of
 6 \$650,000.00 by February 22, 2010 (which is 45 days after the issuance of the Preliminary
 7 Injunction). The amount of the bond is conditioned for the payment of such costs and damages
 8 as may be incurred or suffered by Riverwood if found to have been wrongfully enjoined or
 9 restrained.

10 If the Bond is not posted, the foreclosure sale can go forward as to be advertised.

11 The parties shall appear before the Court on February 5, 2010 at 10:00 a.m. to discuss the
 12 conditions, if any, to be placed upon the Defendant as a condition precedent to the requirement
 13 of the Plaintiff posting of the \$650,000 bond.

14 DATED this 21 day of January, 2010.

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 17 UNITED STATES DISTRICT JUDGE
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21 SUBMITTED BY:

22 **KOLESAR & LEATHAM, CHTD.**

23
 24 By _____
 25 RANDOLPH L. HOWARD, ESQ.
 26 MATTHEW J. FORSTADT, ESQ.
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